RESPONSE TO PUBLIC COMMENTS SUMMARY

EcoSafe Systems, LLC
Proposed New Class I Disposal Facility, SNL 82-0281
Harr Lane, Blountville, TN

1. **Summary Comment: Location and Local Authority Concerns**

   ***Response*: These concerns are local government issues that are considered by zoning ordinances, local approval (Jackson Law, if adopted), and the regional solid waste planning board. The regulations and laws that the Department must comply with in making permit decisions do not include impacts upon property value of property owners in the community neighboring a proposed landfill and there is no precedent for compensating such property owners.**

   Specific Comments Summarized and Responded to above:

   Person concerned that no consideration was given to those living around the proposed landfill site.

   Property owner concerned with decrease in property values due to an adjacent landfill.

   Is there a precedent for compensation for the property owners for their losses?

   Person said that they were offered the price they paid for the property 14 years ago to sell their property.

   Person asked what is the need for a landfill here.

   Person stated that there is other landfill capacity available.

   Person stated that no one around the proposed landfill wants it.

   Person requested zoning status of proposed property. Stated as A-1 on the Part I. Applicant stated that it was changed to industrial.

   Several persons expressed concern about location of the proposed landfill and mentioned that better locations are available in the county/area.

   Person asked why the residents around the proposed landfill are being put through the same debacle from the old closed landfill that operated in 1970s – 1990s.

Comment expresses concern about the visual impact of the finished landfill being above the surrounding ridges and being seen for miles or being higher than the trees.

Comment expresses concern about the noise from operations at the site.

Comment asks if there are regulations that keep a landfill from being placed near a historical district or county seat.

Person said the height of the finished landfill will be at or above the height of the adjacent ridge line and this will be an eyesore.

Person expressed concern that having a toxic landfill in their neighborhood is a violation of their rights as a taxpaying citizen of Sullivan County.

Person stated that it is tragic to think that this new proposed landfill site would ever be considered after the dirty mess the first landfill left the citizens of Sullivan County.

Person concerned about being able to rent their property on Harr Lane if the proposed landfill is built and operated. Also, concerned that increased heavy truck traffic might damage property such as their concrete driveway.

Person concerned that proposed landfill location might negatively affect tourism and other businesses from choosing to locate in Blountville.

Person asks if the state has ever responded favorably and changed locations of landfills in response to the action of the local citizens or will it be necessary to file a class action lawsuit?

The landfill is surrounded by family homes and farmland. There is a subdivision off of Island Road just west of the landfill. No landfill should be sited in a populated area such as this.

It is less than three miles from Historic Blountville, the county seat of Sullivan County. The Sullivan County Historic and Preservation Association has worked very hard to restore The Derry Inn. It is listed on the National Register of Historic sites. They have received grants for the state of Tennessee to help with their work.

Invoking the Jackson Law allows the County to ensure that they are the ones making the decisions, knowing that they are the ones who are going to be held liable for remediation.

In 2005, the County Commission passed a resolution stating that the Jackson Law would not be enacted as Ecosafe pursued its permits.

2. ***Summary Comment:*** **Concerned about the use of and impact to Harr Lane as access road to the proposed landfill.**

***Response*: Harr Lane is a county road and its use and maintenance is determined by the county. Also, see response to number 1 above.**

Specific Comments Summarized and Responded to above:

Person expressed concern about dust from truck traffic on Harr Lane.

Person questioned about why Harr Lane was not going to be used as entrance road to landfill at first, but Hunters Trail Road. Now, Harr Lane is going to be used.

Person concerned with nearness of residence to entrance road leading to the proposed landfill. Concerns mentioned are truck traffic, child safety, air pollution from increased traffic, debris or litter.

Person asked what is the current status the entrance road, Harr Lane.

Person asked if the change in status of Harr Lane has already been decided by the county.

Comment expresses concern about the application not addressing the impact on the physical stability of access roads for the facility.

Comment expresses concern about the application not addressing safety and exposure of residents living on roads used by vehicular traffic associated with the proposed facility.

Comment expresses concern about the current intersection of Hwy. 394 and Harr Lane not being adequate for turning of tractor-trailer units.

Comment expresses concern that the permit application does not adequately consider or address the impact to residents on Harr Lane (and other local roads/highways) in the context of the general performance standard for solid waste facilities (Rule 1200-01-07-.04(2)(a)4).

Comment expresses concern that adequate consideration has not been given to potential health and safety hazards of the proposed landfill to those living on Harr Lane and users of Hwy. 394 in light of Rule 1200-01-07-.04(2)(a)4 and T.C.A. 68-211-102(a).

The access to Harr Lane from Hwy 394 is a dangerous curve with limited visibility. There have been accidents in the past. It will be much worse with tractor trailers of

garbage trying to go in and out. Harr Lane is a narrow almost one-lane road. There are family homes only 40 feet from the road.

3. ***Summary Comment:*** **Concern for impact of the ground water and soil.**

***Response*: Rule 1200-01-07-.04(4)(a)1 through 3 require the following leachate migration control standards to protect the soil and ground water (*Rule citation in italics*):**

(a) Class I Disposal Facilities

1. Such facilities must have a liner designed to function for the estimated life of the site and the post-closure care period. It shall be designed, constructed, and installed to ensure that the concentration values listed in Appendix III of this rule will not be exceeded in the uppermost aquifer at the relevant point of compliance. The liner must be:

(i) A composite liner consisting of two components; the upper component must consist of a minimum 30-mil flexible membrane liner (FML), and the lower component must consist of at least a two-foot layer of compacted soil with a hydraulic conductivity of no more than 1.0 x 10^{-7} cm/sec. FML components consisting of high density polyethylene (HDPE) shall be at least 60-mil thick. The FML component must be installed in direct and uniform contact with the compacted soil component;

(ii) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients, physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(iii) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift;

(iv) Installed to cover all surrounding earth likely to be in contact with the waste or leachate;

(v) Of sufficient strength and durability to function for the life of the facility plus the post-closure care period; and

(vi) Sloped such that, excluding excavation side slopes, the slope of the liner shall not exceed 25%.

2. Underlying the liners shall be a geologic buffer which shall have:

(i) A maximum hydraulic conductivity of 1.0 x 10^{-5} cm/s and measures at least ten (10) feet from the bottom of the liner to the seasonal high water table of the uppermost unconfined aquifer or the top of the formation of a confined aquifer or

(ii) Have a maximum hydraulic conductivity of 1.0 x 10^{-6} cm/s and measures not less than five (5) feet from the bottom of the liner to the seasonal high water table of the uppermost unconfined aquifer or the top of the formation of a confined aquifer or

(iii) Other equivalent or superior protection as defined in (ii) of this subpart.

3. The compacted soil component of the composite liner shall be as follows:

(i) The compacted soil liners shall be free of sharp objects and be compatible with supporting soils and with leachate expected to be generated.

(ii) Admixtures (i.e., cement, bentonite, etc.) and special construction techniques may be used to improve the properties of the compacted soil liner provided that:

(I) In no case shall the liner thickness be less than two (2) feet;

(II) The modified liner shall achieve equivalent or superior performance to requirements of the minimum performance standard as described in this subparagraph.

The facility's design exceeds the performance standards of Rule 1200-01-07-.04(4). The design includes sump areas that are double lined with a leak detection system between two liners. A facility specific permit condition has been added to the permit to clearly require that any leachate that may be collected between the two liners will be removed and properly handled in the leachate management system.

Specific Comments Summarized and Responded to above:

Person expressed concern of the threat of ground water contamination and soil contamination for present and future generations.

Person concerned about water levels rising beneath the proposed landfill that might result from flooding/heavy precipitation.

Comment expresses concern about the ground water being impacted by leachate and surface water runoff.

We have been told this is an "engineered" landfill with sensors to alert someone if there is a leak. By the time a leak is detected, what can be done? Dig it up? I don't think so. The damage will have been done.

4. ***Summary Comment:*** **General Hydrogeological Concerns**

***Response*: Information and data from previous geologic reports were used in the August 17, 2009 Hydrogeological Report. The applicant's consultant provided an updated Well and Spring Survey map, Figure 55 in the Hydrogeological Report, to the Division of Solid Waste Management (DSWM).**

Specific Comments Summarized and Responded to above:

Question about other geologic surveys that have been performed in the area.

Comment expresses concern that information that was developed when the first landfill was proposed conflicts with geology reports that have been submitted by the applicant.

Comment expresses concern that not all the springs and their subsequent runs have been identified.

Comment expresses concern that droughts in previous years may have prevented springs from being identified.

5. ***Comment:*** **There are numerous faults in the area. The following is a quote from the geologic study done on the proposed Sullivan County Landfill site and surrounding properties by Dr. Charles S. Bartlett, Jr., on Sept. 3, 1979:**

> **"The proposed fill area is underlain by southeastward inclined beds of cherty limestone and dolomite of the Knox Group. The bedrock under the steep slopes of the Whiteman property rapidly changes its inclination from 10 degrees to vertical at the fault trace which is clearly exposed on the east bank of State Route 37 (now Hwy 394) about 100 yards north of the entrance**

to the site access road. Due to this intense deformation at this thrust fault, the bedrock is highly fractured. In related notes he states: Another thrust fault trace was observed to trend northeast to southwest about 1,000 feet south of the landfill site and probably passes just north of Mr. Chubby Young's home. This fault has thrust dolomite of the Cambrian Honaker Formation over the Cherty dolomite of the Upper Knox Group. Vertical bedding on the Route 37 roadbank at about 3,000 feet north of Island Road junction is the result of this movement. The occurrence of two large faults adjacent to the landfill would promote a high degree of bedrock fracturing." The home of Chubby Young he spoke of was sold to Daniel Morrison. It is now the site of the current proposed landfill. Dr. Bartlett sent a letter dated May 14, 1981, to Sullivan County Commissioners, DSWM, and others that stated: "Most geologists would consider the entire site to be in a "fault zone".

***Response*: Rule 1200-01-07-.04(2)(u) states (*Rule citation in italics*):**

Fault areas - Class I and II disposal facilities shall not be located within 200 feet (60 meters) of a fault that has had displacement in Holocene time unless the owner or operator demonstrates in the Narrative Description of the Facility and Operations Manual that an alternative setback distance of less than 200 feet (60 meters) will prevent damage to the structural integrity of the SWLF unit and will be protective of human health and the environment.

The DSWM believes that no faults within 200 feet of the proposed landfill footprint have had displacement in Holocene time.

6. ***Comment:*** **Dye trace studies performed as part of the hydrogeologic studies show complex groundwater flow patterns around the old landfill and indicate that contaminants migrating along preferential groundwater flow paths within the subsurface are likely to be widespread and have not been adequately delineated.**

   ***Response*: Numerous dye trace studies, dating back to the early 1990's, have been conducted in the area of the proposed landfill. The DSWM believes the groundwater flow patterns have been adequately addressed.**

7. **Comment: Difficult to characterize contaminant distribution, groundwater flow paths, and identification of potential receptors in karst conduits. Contaminants that reach an aquifer in karst regimes can behave differently from those in granular or fractured rock aquifers. Significant contaminant storage can occur, where some portion of the contamination is periodically flushed into the bedrock aquifer by seasonal or storm-related recharge. Groundwater flow in the bedrock is convergent toward conduits (e.g., subterranean caverns) where rapid flow can occur over large distances toward receptors. Groundwater flow in karst areas**

can be turbulent and therefore not characterized using the basic equations for groundwater flow.

***Response*: Rule 1200-01-07-.04(7)(a)3.(i) states (*Rule citation in italics*):**

Monitoring System for New and Existing Facilities

(i) The facility must have a ground water monitoring system consisting of a sufficient number of wells and/or springs, with not less than 1 upgradient and 2 downgradient monitoring points, unless other monitoring points and locations are otherwise approved by the Commissioner, with installations at appropriate locations and depths, to yield ground water samples from the uppermost aquifer that:

(I) Represent the quality of background ground water that has not been affected by leakage from the facility; and

(II) Represent the quality of ground water passing the compliance boundary hydraulically

The detection monitoring network for the landfill includes seven new monitoring wells, four existing monitoring wells and the Barger Spring North. In addition, four spring/surface water locations have been included as ancillary monitor points. A north-south groundwater divide extends through the proposed landfill footprint and separates the six sub-basins delineated in the Hydrogeological Report into two primary subsurface flow regimes. The Church, Pulaski and Barger Sub-Basins are located to the west of the north-south groundwater divide while the Whiteman, Shankle and Malone Sub-Basins are located east of the divide. The groundwater monitoring network has been designed to sample the groundwater within each sub-basin potentially affected by the landfill.

8. ***Specific Comment*: Dye trace detection was positive at Bloomingdale Utility District surface water intake seven miles northwest.**

***Response*: Dye tracing is a very useful tool in hydrogeologic investigations. However, false positive results are a common occurrence. Many household and automotive products contain fluorescents that can cause false positives in dye trace studies. Cross contamination of the receptor is also a common way that false positives are shown. The DSWM thinks it highly unlikely that dye injected at the landfill site could travel seven miles and still be available in concentrations high enough to be detected.**

9. ***Comment:*** **Karst Environment Concerns**

- **Difficult to characterize contaminant distribution, groundwater flow paths, and identification of potential receptors in karst conduits.**
- **Contaminants that reach an aquifer in karst regimes can behave differently from those in granular or fractured rock aquifers.**
- **Significant contaminant storage can occur, where some portion of the contamination is periodically flushed into the bedrock aquifer by seasonal or storm-related recharge.**
- **Groundwater flow in the bedrock is convergent toward conduits (e.g., subterranean caverns) where rapid flow can occur over large distances toward receptors.**
- **Groundwater flow in karst areas can be turbulent and therefore not characterized using the basic equations for groundwater flow.**

Response: **The DSWM agrees that karst hydrology is complex and provides unique challenges in respect to ground water monitoring. Much geologic and hydrogeologic work has been performed at this site. Specific dye traces have been done to mimic both high flow and low flow discharge regimes.**

10. ***Summary Comment:*** **Site Buffer Concerns**

Response: **Rule 1200-01-07-.04(3)(a) establishes the following buffer standards (*Rule citation in italics*):**

(3) Buffer Zone Standards for Siting Landfills

(a) Class I Disposal Facilities must be located, designed, constructed, operated, and maintained such that the fill areas are, at a minimum:

1. 100 feet from all property lines;

2. 500 feet from all residences, unless the owner of the residential property agrees in writing to a shorter distance;

3. 500 feet from all wells determined to be downgradient and used as a source of drinking water by humans or livestock; and

4. 200 feet from the normal boundaries of springs, streams, lakes, (except that this standard shall not apply to any wet weather conveyance nor to bodies of water constructed and designed to be a part of the facility);

5. A total site buffer with no constructed appurtenances within 50 feet of the property line.

The facility is designed so that fill areas are at a minimum 100 feet from all property lines, 500 feet from all residences and 200 feet from the normal boundaries of springs.

Specific Comments Summarized and Responded to above:

Person stated that there will be waste within 50' of residence and within 60' of spring.

Person stated that there is water in less than 2 miles, 4 different locations from my home.

11. ***Summary Comment:*** **Air/Landfill Gas Concerns**

***Response*: Rule 1200-01-07-.04(5)(a) requires that Class I Disposal Facilities must be designed, constructed, operated, and maintained such that any gases generated by decomposition or other reaction of solid waste are collected and vented, recovered, or otherwise managed. The volume capacity of the proposed facility is in excess of the minimum size for which a New Source Performance Standards air pollution control permit is required. This is also known as a Title V air permit. This permit from the Division of Air Pollution Control (DAPC) requires that an active landfill gas collection/extraction system be designed and installed to collect landfill gas once waste has been in place for 5 years. This timeframe is because the breakdown of waste and the generation of landfill gas does not begin immediately upon placement of waste, but is a complex process dependent upon time, temperature, moisture, microbial activity, etc. The facility must not only design, install, and operate and maintain the landfill gas collection/extraction system, but also monitor and record information on system performance. DAPC personnel will also perform periodic inspections of the system for compliance with the permit. This will minimize odors from the breakdown of solid waste as well as collect landfill gases such as methane, hydrogen sulfide, volatile organics, etc. The operations manual and engineering drawings for the proposed facility contain the design of an active landfill gas collection/extraction system that will be utilized during the active life and post-closure care period of the landfill.**

Rule 1200-01-07-.04(9)(c)16. requires that the operations manual describes the dust control measures to be taken and when they would be implemented. Further, Rule 1200-01-07-.04(2)(j) requires that the operator must take dust control measures as necessary to prevent dust from creating a nuisance or safety hazard to adjacent landowners or to persons engaged in supervising, operating, and using the site. The use of any dust suppressants (other than water) must be approved in writing beforehand by the Department. Page 37 of 53 of the operations manual contains the actions to be taken by the facility to meet these regulatory requirements. This facility will utilize a permanent on-site water truck to lightly spray access roads and disturbed areas during normal operating

hours to minimize blowing dust. Revegetation of disturbed areas will take place as soon as practical to reduce dust problems due to wind erosion.

Specific Comments Summarized and Responded to above:

Person concerned with odors from the proposed landfill and wondered how this would be controlled considering prevailing winds.

Person concerned that methane gas will not be collected and asked if there would be any free venting allowed.

Person concerned about landfill gases other than methane such as hydrogen sulfide.

Comment expresses concern about the air being impacted by dust from the facility.

Comment expresses concern about odors being a problem that are not present at the current time.

The odor will be horrible.

12. ***Summary Comment:*** **Leachate Management Concerns**

***Response*: Rule 1200-01-07-.04(4)(a)1. requires that Class I disposal facilities must have a liner designed to function for the estimated life of the site and the post-closure care period. It shall be designed, constructed, and installed to ensure that the concentration values listed in Appendix III of this Rule will not be exceeded in the uppermost aquifer at the relevant point of compliance. Rule 1200-01-07-.04(4)(a)5. further requires that a leachate collection and removal system is required immediately above the liner that is designed, constructed, maintained, and operated to collect and remove leachate from the facility. The operations manual states that a leachate force main will be constructed at the site to transport the collected leachate to a permitted waste water treatment plant for treatment. Collected leachate will have to meet the pre-treatment standards of the receiving waste water treatment plant's permit.**

Specific Comments Summarized and Responded to above:

Person concerned with leachate management.

Person concerned high levels of BOD (biochemical oxygen demand) that might be present in leachate.

Comment expresses concern that there are no sewer connections in the area.

13. ***Summary Comments:*** **Structure and Stability Concerns**

***Response*: Rule 1200-01-07-.04(2)(w) requires that owners and operators of Class I disposal facilities located in an unstable area must demonstrate that engineering measures have been incorporated into the SWLF units design to ensure that the integrity of the structural components of the SWLF unit will not be disrupted. The owner or operator must place the demonstration in the Narrative Description of the Facility and Operations Manual operating record. The owner or operator must consider the following factors, at a minimum, when determining whether an area is unstable:**

1. **On-site or local soil conditions that may result in significant differential settling;**
2. **On-site or local geologic or geomorphologic features; and**
3. **On-site or local human-made features or events (both surface and subsurface).**

The operations manual contains several sections describing how the facility addressed the foregoing requirements. Engineering analyses were performed and subsequent designs are presented in the permit application demonstrating compliance with the standards. Unstable areas (soil and/or bedrock) that were identified in the hydrogeological investigation are shown on the engineering drawings. The proposed facility does include areas where limestone formations are present. Geologic formations were investigated at the site and mapped during the hydrogeological investigation phase of the application. Engineering analyses based upon the information obtained from the hydrogeological investigation looked at soil strength, soil settlement, bearing capacity, and the potential of karst collapse of the underlying limestone formations and the impact this would have on the containment system. The facility has been conservatively designed to meet the regulatory requirements listed above given the worst case scenario for the site determined from information obtained during the hydrogeological investigation. Additionally, further assessment of potential karst prone areas is presented in a karst feature mitigation plan which will be implemented prior to construction of the site.

Rule 1200-01-07-.04(2)(v) requires that Class I disposal facilities shall not be located in seismic impact zones, unless the owner or operator demonstrates that all containment structures, including liners, leachate collection systems, and surface water control systems, are designed to resist the maximum horizontal acceleration in lithified earth material for the site. The owner or operator must place the demonstration in the Narrative Description of the Facility and Operations Manual. According to the interactive seismic maps prepared by the US Geological Survey, this proposed facility is located in a seismic impact zone. An analysis was performed on the proposed containment structures that

demonstrates that the proposed design will resist the design standard maximum horizontal acceleration (0.16g in this case) in earth materials present at the site.

Rule 1200-01-07-.04(4)(a)1. requires that Class I disposal facilities must have a liner designed to function for the estimated life of the site and the post-closure care period. It shall be designed, constructed, and installed to ensure that the concentration values listed in Appendix III of this Rule will not be exceeded in the uppermost aquifer at the relevant point of compliance. The liner must be constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients, physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation.

Specific Comments Summarized and Responded to above:

Person concerned with situations that might breach the lining system, floods, earthquakes, and who knows what else.

Person concerned about seismic impact on the proposed landfill.

Person concerned about the landfill being constructed in an area of limestone formation with cracks, fissures, and caves.

Comment expresses concern that the rock formations beneath the landfill cannot support the weight of the landfill.

Comment expresses concern that the proposed liner system will be breached by chemical action of the wastes that disposed in the landfill.

We have had an earthquake in this area that I can remember. Even slight movement of the earth in this unstable area would compromise the liner of the landfill and result in irreversible damage.

This is a limestone area with caves, sinks, depressions, springs, and underground water. The weight of the landfill could cause caves to collapse, or the highly fractured bedrock to shift, damaging the so-called "safe" liner.

The report acknowledges that sinkholes have developed in and around the former landfill, but fails to address the reasons for sinkholes opening – trapped gases? Karst geology?

14. ***Summary Comment:*** **Runoff Concerns**

Response**: Rule 1200-01-07-.04(2)(i) requires the following run-on, run-off, and erosion controls (*Rule citation in italics*):**

Run-on, Run-off, and Erosion Control

1. ***The operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the facility for all flow up to and including peak discharge from a 24-hour, 25-year storm.***

2. ***The operator must design, construct, operate, and maintain a run-off management system to collect and control at least the peak flow volume resulting from a 24-hour, 25-year storm.***

3. ***Holding facilities (e.g., sediment basins) associated with run-on and run-off control systems must be designed to detain at least the water volume resulting from a 24 hour, 25 year storm and to divert through emergency spillways at least the peak flow resulting from a 24-hour, 100-year storm.***

4. ***Collection and holding facilities associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system.***

5. ***Run-on and run-off must be managed separately from leachate unless otherwise approved by the Commissioner.***

6. ***The operator must take other erosion control measures (e.g., temporary mulching or seeding, silt barriers) as necessary to control erosion of the site.***

The operations manual contains a run-on/run-off management plan to meet the requirements of this Rule. Appropriate ditches, diversion berms, and storm water basins have been designed and will be placed as shown on the engineering plans. Leachate (precipitation that has come in contact with solid waste) is required to be managed separately from storm water run-off. Additionally, Ecosafe will have to acquire the applicable storm water construction and discharge permits from the Division of Water Pollution Control.

Specific Comments Summarized and Responded to above:

Comment expresses concern about livestock in area drinking water that runs off from the site.

Person concerned with storm water run-off to local creek that feeds water supply for local utility.

Comment expresses concern about the location of the proposed site in relation to the local water utility.

Water in the area has been damaged by the Sullivan County Landfill. Springs originate in that area that feed into Reedy Creek. Bloomingdale Water Dept. takes their water from Reedy Creek. Why compound the problem with another landfill.

15. ***Summary Comment:*** **Archeological (historical significance) and Ecological Surveys**

***Response*: The DSWM notified the Division of Archeology upon the receipt of the Part I Application according to DSWM policy #69. Correspondence from this agency was provided to the DSWM and is on file. This correspondence from the Division of Archeology states that a review of the proposed project under their responsibilities as set forth in TCA 11-6-108 and has determined that this project should have no effect upon significant archeological resources. If human remains are encountered or accidentally uncovered by earthmoving activities, all activity within the immediate area should cease. The county coroner or medical examiner, a local law enforcement agency, and the state archaeologist's office should be notified at once per TCA 11-6-107d.**

Rule 1200-01-07-.04(2)(m) requires that Class I disposal facilities shall be located, designed, constructed, operated, maintained, closed, and cared for during the post-closure care period in a manner that does not:

1. **Cause or contribute to the taking of any endangered or threatened species of plants, fish, or wildlife; or**

2. **Result in the destruction or adverse modification of the critical habitat of endangered or threatened species.**

According to the correspondence pertaining to the ecological investigation contained in the application, no federally endangered or threatened species of plant, fish, or wildlife as listed in 50 CFR 17 have been observed on the proposed site.

A Memorandum of Agreement between the DSWM and the Division of Water Pollution Control (DWPC) requires that the DWPC be notified whenever a Part I Application for a solid waste disposal facility is received by the DSWM. The DWPC was notified of the Part I application, and, in concert with the Army Corps of Engineers (ACOE), performed the field assessment of the proposed facility. This assessment determined that the farm pond on the Morrison property may not be disturbed without an Aquatic Resources Alteration Permit from the DWPC. The current permit application does not propose to disturb this pond. There are other areas on the proposed site that if disturbed, will require a permit from the DWPC. Correspondence from the DWPC and the ACOE as well as maps delineating jurisdictional waters for the subject site are included in the permit application.

Specific Comments Summarized and Responded to above:

Comment expresses concern that site should be investigated for archeological significance.

Comment asked if there is an Indian graveyard on this property.

Person requested whether an environmental survey was performed on the farm pond of the proposed landfill site.

Person requested if survey had been performed on migratory birds and animals that use the land and farm pond.

16. ***Comment:*** **Person asked who is going to insure the proposed landfill would be operated correctly.**

Response**: The DSWM inspects Class I disposal facilities for compliance with the facility permit on a frequency of at least one inspection per month. DSWM personnel also perform construction inspections at various stages of site development to verify and document compliance with the permit. Additionally, Rule 1200-01-07-.04(2)(b)4 and 5 states *(Rule citation in italics)*:**

1. ***The facility must have trained personnel present and on duty at all times it is in operation to assure compliance with operational requirements and to prevent entry of unauthorized wastes.***

2. ***Class I landfill facilities shall have a certified operator or attendant on site during the hours of operation who is trained and certified as provided at Rule 1200-01-07-.12.***

17. ***Comment:*** **Person asked if there are any restrictions on what is allowed for disposal in the proposed landfill.**

Response**: The solid waste regulations in Tennessee place restrictions upon disposal facilities concerning the types of waste accepted for disposal. Rule 1200-01-07-.01(3)(a) states *(Rule citation in italics)*:**

Class I Disposal Facility refers to a sanitary landfill which serves a municipal, institutional, and/or rural population and is used or to be used for disposal of domestic wastes, commercial wastes, institutional wastes, municipal solid wastes, bulky wastes, landscaping and land clearing wastes, industrial wastes, construction/demolition wastes, farming wastes, shredded automotive tires, dead animals, and special wastes.

18. ***Comment:*** **Person concerned about blowing litter.**

Response**: Rule 1200-01-07-.04(2)(d) requires that a Class I disposal facility must be operated and maintained in a manner to minimize litter. Fencing, diking and/or other practices shall be provided as necessary to confine solid wastes subject to dispersal. All litter must be collected for disposal in a timely manner. The operations manual provides for several mechanisms to comply with this requirement including load control, waste handling, portable litter screens, litter fencing, and methods for handling light weight waste material as well collection by site personnel.**

19. ***Comment*****: There will be insects, rats, and packs of dogs.**

Response**: The compacted solid waste will be covered at the end of the day with six inches of soil or with an alternate daily cover as permitted by the TDSWM. An intermediate cover of 1 foot of soil (or an alternate approved material) is required for any surface which will be left exposed for a period longer than 30 days. A 3 foot minimum thickness of soil is required as part of the final cover system.**

20. ***Comment:*** **Comment expresses concern about who will control what is in the waste that will be disposed of in the landfill every day.**

Response**: Facility personnel are ultimately responsible for controlling the acceptance of solid waste at this or any disposal facility. Additionally, a random inspection program is required by Rule 1200-01-07-.04(2)(s). Under the random inspection program, the owner or operator of a permitted landfill must implement a program at the facility for detecting and preventing the disposal of regulated hazardous waste, unauthorized special waste, PCB's(>50 ppm), whole tires, lead-acid batteries, and liquid wastes. This program must include at a minimum:**

1. **Random inspection of five percent of the daily incoming loads.**

2. **Inspection of all suspicious loads.**

3. **Records of all inspections must be maintained in a bound notebook, and include the inspection date, vehicle identification, driver signature, identification of any unauthorized waste, disposition of any unauthorized waste, and facility inspector signature.**

4. **Training of facility personnel to recognize regulated hazardous waste.**

5. **Procedures for notifying the appropriate Division field office if an unauthorized waste is identified and left at the facility.**

DSWM personnel perform inspections at least on a monthly frequency. Part of the inspection includes the review of facility records including their random inspection records as well as visual observation of incoming waste at the working face. The operations manual describes how facility personnel will be trained in identification of unauthorized waste materials.

21. ***Comment:*** **Person concerned with how the old landfill (SCLF, Inc.) was operated and that the proposed landfill may not be any better.**

Response**: The design and performance standards for Class I disposal facilities operating today are almost incomparable to those that were in place during the 1970s and 1980s when the old landfill was designed and operated.**

22. ***Comment:*** **Comment expresses concern about the DSWM not being able to act on the results of any geophysical investigations to be performed during development of the landfill phases.**

Response**: The DSWM will revise Site Specific Permit Condition #7 requiring that the results of any geophysical investigations to be performed must be submitted to the DSWM for review.**

23. ***Comment:*** **Question about having a comprehensive aerial photograph of the proposed site placed on the internet.**

Response**: Currently, there is no regulatory requirement for applicants of Class I disposal facilities to place such a photograph on the internet. One such photograph exists in *Appendix A – Maps* of the current permit documents which are available for public review.**

24. ***Comment:*** **Person concerned that enforcement doesn't always happen.**

Response**: This comment is true. All violations observed at permitted facilities are noted and required to be corrected in a timely manner. However, not all violations rise to the level of enforcement meaning that penalties are imposed. There is a DSWM policy outlining the process to be followed concerning violations identified at facilities and any subsequent enforcement action.**

25. ***Summary Comment:*** **Public Notice and Public Hearing Concerns**

Response**: Rule 1200-01-07-.02(3)(e)3.(ii) requires that a public notice be placed in a daily or weekly local newspaper of general circulation as designated by the**

Commissioner. The practice of the DSWM is to designate that the public notice be placed in the nearest local newspaper to the proposed facility.

Three notices were issued by the DSWM for this permit action. Also, the Department maintains a listing of all interested individuals that have requested receiving public notices related to solid waste disposal facilities. The listing is broken into two groups: one is specific to the county where the proposed facility is located and the other is any statewide action by the Department. The Request List for notices is sent to these individuals and the state legislators whose districts are within the county where the proposed disposal facility is located. The public notices are sent either by U.S. mail or e-mail.

The first was issued when the Part I application was received by the DSWM. In accordance with Rule 1200-01-07-.02(3)(a), public notice was issued on May 8, 2006 and posted on the Department's website. Additionally, copies were sent for posting to the Sullivan County Mayor and Mayor of the City of Bristol.

The second public notice was issued when the DSWM had prepared a draft permit and made a tentative permit decision. Rule 1200-01-07-.02(3)(e)2.(i) and (ii) require that a public notice of the preparation of a draft permit or a notice of intent to deny an original permit shall allow at least 45 days for public comment. Public notice of a public hearing shall be given at least 15 days before the hearing. Public notice of the hearing may be given at the same time as the public notice of the draft permit and the two notices may be combined. The public notice for the public hearing held on January 11, 2011, was issued on December 27, 2010. The notice was published in the Bristol Herald Courier on December 27, 2010, and copies were sent for posting to the Sullivan County Mayor, Mayor of the City of Bristol, the Sullivan County public library in Blountville as well as the Johnson City Environmental Field Office.

A third public notice was issued on February 7, 2011 in the Bristol Herald Courier stating that the DSWM had extended the public comment period an additional 12 days until February 22, 2011. This was done in response to requests from concerned citizens.

Rule 1200-01-07-.02(3)(g)1.(iv) requires that the public hearing held pursuant to this Rule shall be at a location convenient to the nearest population center to the subject facility. The reason the Blountville Public Library was selected is because its proximity to the proposed facility. Further steps were taken by the DSWM to provide information concerning this proposed permit. The applicant's representative did another presentation at the February 9, 2011 Sullivan County Commissioners meeting, and the DSWM staff answered questions from the County Commissioners. Additionally, DSWM staff have met with concerned citizens at the Johnson City Field Office and talked with concerned citizens on the telephone to answer questions.

Specific Comments Summarized and Responded to above:

Person said they did not see the public notice as they receive the Kingsport Times News and not the Bristol Herald Courier.

Person concerned about lack of information of the public hearing.

Person expressed concern about the apparent short time they were granted to protest this landfill.

Person commented that they were not adequately informed about public hearing and that the room size was inadequate as they had to stand outside the room due to lack of space.

Person stated that have not been given enough time to find and review impact studies if there are any and respond.

Persons stated that hearing room was too small and not all citizens could hear the presentations as they had to stand outside the room.

Person wishes that scheduled meetings be held at a site which would allow all interested parties to participate.

Person stated there was not sufficient public notice.

Person stated the room was too small. The room was packed. People were standing in the foyer and could not see or hear. Some left because they couldn't get in.

Person stated the hearing seemed to be a formality. Just a meeting to satisfy the regulations. There was the implied attitude that "it is a done deal" anything you say won't make a difference.

26. ***Specific Comment*: Person concerned that current status of company applying for the permit is a limited liability corporation which could limit financial responsibility.**

***Response*: Rule 1200-01-07-.03 contain the requirements for financial assurance for Class I disposal facilities. The purpose of this Rule is to establish requirements for establishing and maintaining acceptable financial assurance for the proper operation, closure and post-closure care of certain solid waste disposal facilities in Tennessee. These financial assurance requirements are intended to ensure that adequate financial resources are available to the Commissioner to insure proper operation, closure and post-closure care. This rule also establishes criteria and procedures to be used by the Commissioner in**

setting the amount of financial assurance required and in use and release of these funds. The owner/operator of a Class I disposal facility must develop a Closure/Post-Closure Plan (C/PCP). The C/PCP must include an itemized estimate in current dollars of the cost based on hiring a third party to perform closure and perform post-closure care activities for 30-years. Rule 1200-01-07-.03(3)(c)1. requires that after his final decision to issue a permit for a facility, the Commissioner will notify the operator in writing of the amount of financial assurance as required in Rule 1200-01-07-.03(3)(b). The operator must, before the permit can be effective, file with the Commissioner financial assurance meeting the regulatory requirements.

27. ***Specific Comment:*** **Person asked who would be making the final permit decision.**

    Response**: Division Director, Mike Apple**

28. ***Summary Comment:*** **Why was a portion of the proposed site turned down previously?**

    Response**: The previous application did not provide satisfactory information for an acceptable and complete hydrogeological report.**

    Specific Comments Summarized and Responded to above:

    Person mentioned that this site was turned down previously and doesn't see that anything has changed since then.

    Person asked why couldn't they (Sullivan County) get the site permitted previously and now that it is being permitted by a private entity, it can?

29. ***Summary Comment:*** **Liability for damage to wells and streams**

    Response**: The Department can take enforcement action for assessment and remediation of releases from landfills. The potential liability of a landfill owner/operator for damages caused to neighboring property owners or other third parties would be an issue for the Courts (i.e., a civil lawsuit for damages brought by the impacted party).**

    Specific Comments Summarized and Responded to above:

    Person asked what happens if my well gets bad from the landfill, who is responsible for it, and who will pay for installation of utility water?

    Person asked who is going to pay if the stream on his property goes bad from the landfill?

30. ***Summary Comment:*** **Relocation of the waste from the closed SCLF and Ecosafe's responsibility for SCLF**

***Response*: The hydrogeological report stated that Ecosafe proposed to excavate the closed SCLF waste mass and relocate it onto the proposed Ecosafe composite liner system. The proposed Ecosafe footprint in the hydrogeological report was to encompass the current 34.3 acres of the SCLF. However, when Ecosafe submitted the detailed operations manual and engineering plans for the landfill, it did not include the SCLF.**

Specific Comments Summarized and Responded to above:

Several of the permit documents for the new landfill included a waste relocation plan, which included the relocation of waste from the old landfill into the newly lined landfill in order to cut-off the lateral landfill gas migration and to divert leachate from old landfill areas to permitted treatment and transport areas. This waste relocation plan also included long term monitoring to allow the tracking of corrective actions. These corrective action measures do not appear to be included in the most recent permit application approved by your office. I feel that corrective action measures should be a technical or regulatory condition of the new landfill permit, and I feel that the operator has misled both your office and the citizens of Sullivan County by including this provision in the early permitting documents before removing them from the final permit application.

Soil Contamination, Lead, Antimony, Barium, Other metals requires excavation and removal prior to cell construction where the existing closed landfill is located.

Have Ecosafe/Mr. Rader provided enough assurances that the County's best interest is served, when so many questions still remain regarding the existing site?

This goodwill resolution was based upon the assumption that Ecosafe would hold true to their word that a plan for addressing the existing landfill would be included in the permitting.

Instead, the current permit allows for an option that will later address the problems at the existing landfill.

Ecosafe/Mr. Rader's own consultant identified the known risks at the landfill and acknowledged that these issues needed to be addressed up-front.

TDEC has not held Ecosafe/Mr. Rader to commit to the plan designed by his consultants.

The county has no assurances that Ecosafe/Gary Rader will assume the liability to perform the work as recommended by their consultant.

Concerns Relating to the Sullivan County Landfill, Inc.'s Closed Landfill

This is not a part of the official response to comments for the Ecosafe Systems, LLC class I disposal facility permitting action, but is intended to provide information to the public concerning the Sullivan County Landfill, Inc.'s closed landfill (SCLF).

1. ***Summary Comment:*** **Landfill Gas Concerns**

***Response*: The present DSWM staff have been not been made aware of any complaints related to landfill gas from SCLF. SCLF was permitted, operated, and closed prior to the Subtitle D requirements; therefore, a liner/leachate collection system or gas collection system was not required. Routine landfill gas monitoring events are performed at the site. There are two gas monitoring points installed at the facility and the ground water monitoring wells are also monitored for landfill gas (methane). Only MW-6 on the westernmost side of the facility property has consistently shown the presence of methane above the lower explosive limit. At closure of the landfill, several passive gas vents were installed. Subsequent to closure, additional passive gas vents have been installed. Currently, there are 71 passive gas vents in place which is roughly two per acre. The volume capacity of SCLF falls under the minimum size for which a New Source Performance Standards air pollution control permit is required. (This is also known as a Title V air permit and would be approved by the Division of Air Pollution Control.) Therefore, an active landfill gas collection, extraction, and management system is not required. Typically, landfill gas is composed of mainly methane, carbon dioxide, oxygen, and small percentages of other varying constituents such as hydrogen sulfide and VOCs.**

Specific Comments Summarized and Responded to above:

Person expressed concern of gas/odors from old landfill (SCLF, Inc.) being bad during the summer months outside of house. Lives off Barger Road.

There is significant evidence that gas from the landfill is not being properly contained and is causing stressed vegetation and soil contamination around the landfill. The release of harmful gases from the landfill appears to be an ongoing issue, and it is unclear if this issue will be fully addressed during construction of the new landfill.

What are the gases? Methane? Carbon dioxide? Hydrogen sulfide? Volatile organic compounds?

Ecosafe's consultant identified indications of gases, such as stressed vegetation. Was any further testing done?

Have vapor intrusion studies been conducted to ensure that existing landfill gas migrations are not affecting area residents?

2. ***Summary Comment:*** **Contamination from the closed landfill**

Response**: There are releases from many landfills that were permitted prior to the RCRA Subtitle D regulations such as the SCLF. The pre RCRA Subtitle D regulations did not require composite liners, leachate collection systems and composite covers but relied on in-situ soil with low permeabilities to restrict liquid flow with essentially the same low permeability soil used as cover. Additionally, landfills that were permitted prior to the RCRA Subtitle D regulations were not required to have active gas collection systems. The SCLF is similar to many pre RCRA Subtitle D landfills with releases that have contaminated groundwater. The contamination in groundwater appears to have stabilized but this does not rule out the possibility that the levels of contamination in the groundwater could increase. No contamination has been detected in any of the off-site drinking water wells or springs that have been sampled semi-annually since 2003. Presently, there are eighteen wells/springs identified within a 1-mile radius that are used as a drinking water supply. Presently, there are twelve landfill ground water monitoring wells and four springs (non-drinking water) sampled semi-annually to monitor SCLF. Eight of these landfill monitoring wells are located on-site on the perimeter of SCLF while the remaining four are located off-site. Contaminant levels were above the established DSWM Groundwater Protection Standards (GWPS) in seven (7) of the twelve (12) landfill monitoring wells from the December 18, 2010 sampling event. The results of the December 18, 2010 sampling event are documented in a January 31, 2011 report which also contains extent of contamination plume maps. GWPS are the EPA Maximum Contaminant Levels (MCLs) and for those constituents without MCLs, the EPA Regional Screening Levels (RSLs) for Tap Water. VOC levels exceeded the GWPS in only the perimeter monitoring wells adjacent to the closed fill area, with the exception of 1,1-Dichloroethane (1,1-DCA), which exceeds the RSLs in four (4) springs which are monitored approximately 1000 feet east of the site and are not used for drinking water supplies. The exceedances are (ppb means parts per billion):**

MW-1: 9.6 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb
4.0 ppb Vinyl Chloride; GWPS (MCL) is 2.0 ppb

MW-2: 5.6 ppb Benzene detected; GWPS (MCL) is 5.0 ppb
23 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb

MW-3: 3.6 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb

MW-4: 7.0 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb

MW-7: 7.2 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb
7.4 ppb Vinyl Chloride detected; GWPS (MCL) is 2.0 ppb
2.8 ppb Mercury detected; GWPS (MCL) is 2.0 ppb

MW-8: 3.1ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb

MW-11: 7.5 ppb 1,1-DCA detected; GWPS (RSL) is 2.4 ppb
3.0 ppb Vinyl Chloride detected; GWPS (MCL) is 2.0 ppb

Monitoring wells MW-9 and MW-10 are situated off-site and down gradient to the northeast and south, respectively. These wells show no VOC detections. MW-12 and MW-12A are located approximately one half mile southwest of the landfill along geologic strike. There have not been any VOC exceedances of the GWPS in these wells. MW-12 and MW-12A have shown detections of tetrachloroethene but below the GWPS for this contaminant which is 5.0 ppb.

As stated above, the only GWPS exceedance for VOCs off-site is 1,1 – Dichloroethane (1,1-DCA) at 2.9 ppb at the Collins Spring, 4.7 ppb at Whiteman Upper Right Spring, 4.6 ppb at Whiteman Drain, and 12 ppb at Shankle Tree Spring. There is no EPA promulgated Maximum Contaminant Level (MCL) for 1,1-DCA. The GWPS for 1,1-DCA of 2.4 ppb is obtained by default from the RSLs for tap water.

According to the state veterinarian, Dr. Charles Hatcher of the Tennessee Department of Agriculture there are no established standards for VOCs in livestock drinking water. However, he further said that these low level VOC concentrations in the springs should not constitute a threat to the livestock. The DSWM is not aware of any adverse impact to fish and aquatic life.

In 2009 repairs were made to the final cover to promote positive drainage off of the landfill and a system was installed to collect leachate from outbreaks in the side walls of the landfill. Over one hundred thousand gallons of leachate have been collected and sent offsite for treatment.

Specific Comments Summarized and Responded to above:

Comment expresses concern that family has experienced serious pollution of land and water from previous landfill (some wells and springs have been deemed unfit for human consumption).

Comment expresses concern that another proposed landfill could be considered before identifying a cleanup plan for the previous landfill and how it would be paid for.

Comment expresses concern about local livestock drinking contaminated untreated creek water and residual effects in meat produced for human consumption.

Person concerned with run-off from old landfill (SCLF, Inc.) being bad.

I believe that it is a mistake to permit a new landfill facility adjacent to and above areas where the extent of groundwater and soil contamination is not fully known.

Contamination from the old Sullivan County Landfill has not been adequately delineated and will continue to contaminate the soil, groundwater, and surface water in the vicinity of the old landfill after the newly proposed landfill is in place.

The updated leachate collection systems and/or capping that have been proposed for the old landfill will not be effective at capturing leachate leaking through sinkholes, joints, and/or fractures in the central portion of the landfill.

Based on my review of applicable permit documents, the operator is not required to conduct additional investigation or corrective actions for groundwater contamination related to the old Sullivan County landfill. It is my understanding that no approved corrective actions have been formulated, evaluated for public notice, or implemented but that groundwater contamination still exists.

The newly proposed landfill will limit the scope of future investigations and remedial efforts related to the delineation and clean-up of existing contamination at the old facility.

Adequate exposure assessments have not been performed to address the existing contamination, and these assessments should be performed before the new landfill is approved. Due to the prevalence of groundwater use in the vicinity of the site, an exposure assessment should be performed to ensure that adverse health effects are not resulting from the contamination.

The current groundwater contamination plume has not been adequately delineated and surface water points exhibiting evidence of leachate contamination have been documented in Reedy Creek, Hunters Trail Creek, Barger Creek, and Booher Creek, some of which are well outside the documented plume boundary. Delineation of the existing groundwater contamination will be further complicated by the approval of the new landfill.

Surface waters, fish, and aquatic life are currently being impacted by the existing groundwater contamination, and these impacts will not be remedied by the approval of the new landfill.

Although the existing leachate constituents are not well documented, there is evidence that "heavy volatile organic compounds" may be present in the leachate and were present in a deep aquifer monitoring well, MW-5. The presence of "chlorinated aromatics" and "heavy volatile organics" in leachate leaking from the landfill is major

issue that has not been evaluated. The presence of these contaminants in groundwater would suggest that deeper aquifers have been impacted and that contaminants may have migrated over much longer distances and be present in groundwater and/or domestic wells outside the range of current sampling points.

Additional studies need to be done to determine whether contaminants in groundwater and/or surface water are increasing or decreasing and whether the contaminant concentrations increase during storm events. These studies should be completed prior to the placement of the new landfill.

Additional assessments of groundwater and surface water, expanded sampling of springs and domestic wells, adequate exposure assessments, additional onsite investigations, and corrective actions need to be preformed to ensure that the people of Sullivan County and the environment are being protected from the ongoing threat of contaminant migration from the old landfill before any new landfill is permitted.

The permit application for the new landfill is similar to a vertical expansion request that was approved for the old landfill in 1990, which was approved by the DSWM "as a way to allow the operator a means to accumulate funds for closure and post-closure and groundwater corrective action." To my knowledge, no groundwater corrective actions have been performed at the site, and it is likely that the approval of this permit will also not result in any remediation or corrective actions, especially since the operator has not provided any financial assurance or corrective action plan for the old landfill.

By approving this permit application, neither TDEC nor the landfill operator are required to pay for or conduct any future groundwater investigations or corrective actions. TDEC and the landfill operator are attempting to approve a plan because it will bring more money into Sullivan County, but the existence of the new landfill will not manage the liability and clean-up of the existing groundwater contamination at the old landfill. The liability associated with the existing groundwater contamination is not well understood, and since Sullivan County citizens will be burdened with the financial liability associated with the existing landfill, they should be able to make decisions regarding the approval of and potential profits from a new landfill.

2006 Groundwater study showed contamination had spread to multiple surface waters over a mile from the landfill.

No further mapping of the extent of contamination.

The specific constituent contaminants are not mentioned in the technical reports. Although volatile organic compounds and heavy volatile organic compounds (also known as DNAPL) are specifically identified.

Will source removal result in significant risk reduction?

- Measure leaching potential of vadose zone sources and calculate mass discharge contributed by source in the saturated and unsaturated zones.
- Model the time/concentration relationship with and without the expected mass reduction efficiency.
- Evaluate the influence of mass discharge reduction on plume containment.

Will mass reduction within the plume result in significant risk reduction?

- Review data on proposed mass reduction technologies and identify probable levels of effectiveness that can be achieved at this site.
- Model the time/concentration relationship with and without the expected mass reduction efficiency.

Similar contamination cleanups in karst areas in Tennessee have been estimated to cost up to $1,000,000,000 - 1 Billion Dollars!

A new landfill adjacent to the existing landfill will limit the scope of future groundwater investigations and may limit potential corrective actions and remedial options for cleanup of the existing contamination.

The county has no assurances that the extent of contamination and the makeup of the contaminants at the old landfill site are adequately understood.

3. ***Summary Comment:*** **Liability Concerns**

***Response*: There is no living company official for Sullivan County Landfill, Inc.**

Specific Comments Summarized and Responded to above:

The citizens of Sullivan County were the largest contributor of waste to the old landfill and therefore will be held as the Potentially Responsible Party (PRP) for the site.

As the PRP, the County should be the one making the decisions regarding the landfill, not someone behind a desk at TDEC in Nashville.

Comment expresses concern that no one is contractually responsible for the old landfill cleanup.

4. ***Specific Comment*: Is the existing/closed landfill structurally stable?**

***Response*: Structural stability was considered when this facility was permitted. Presently, the DSWM is not aware of any structural stability issues.**